

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

DR 1999-092068

05/07/2007

HONORABLE BRUCE R. COHEN

CLERK OF THE COURT  
J. Carlson/P. Webster  
Deputy

KIMBERLY JEAN MARTIN

KIMBERLY JEAN MARTIN  
17012 S 27TH PL  
PHOENIX AZ 85048

AND

JOHN THOMAS AGUILAR

JOHN THOMAS AGUILAR  
182 S 17TH ST  
COOLIDGE AZ 85228

CONCILIATION SERVICES-SE  
DOCKET-FAMILY COURT-SE  
FAMILY COURT SERVICES-CCC  
FILE ROOM-SE

RESOLUTION MANAGEMENT CONFERENCE  
REFERRAL TO MEDIATION  
EVIDENTIARY HEARING SET

Courtroom 304-SE

1:39 p.m. This is the time set for Resolution Management Conference. Petitioner, Kimberly Martin, is present on her own behalf. Respondent, John Aguilar, is present on his own behalf.

A digital audio recording of this proceeding is made using "For the Record" recording system in lieu of a court reporter.

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Discussion is held.

Father filed a Petition To Modify the parent access schedule. Mother then filed a Counter-Petition addressing the access schedule and child support.

For child support, there are only a few material issues. There is no dispute as to Father's income (\$5,220 per month), the adjustment for Mother's other child, the over-twelve adjustment for Kortney and the fact that Father has health insurance for the children at no charge to him. The disputed factors relate to Mother's income and the parenting time adjustment. As to the income issue, Mother is earning approximately \$1,780 per month as a part time teacher. She has historically worked on a part-time basis. Father believes that full-time income (approximately \$3,500 per month) should be attributed. While Mother opposes this, she notes that if income were attributed, incidental child care expenses should be considered as well.

As to the parent access schedule, the parties have been exercising an alternating weekend schedule. There is no objection to this schedule remaining in effect. Further, during the school year, Father has exercised Tuesday and Thursday evening visits. Father wishes to maintain this schedule while Mother is seeking a downward adjustment during the school week.

Father is also seeking a fair division of fall break and spring break, neither of which is addressed in the current schedule. Lastly, there is an issue regarding summer access. Father is seeking expansion to six total weeks. Mother believes that each should be entitled to four weeks provided adjustments are made based on Father's employment availability.

**IT IS ORDERED** the parties are referred to Conciliation Services for Mediation of child custody and/or parenting-time issues, as appropriate. The parties shall comply with all instructions and directives issued by Conciliation Services.

**IT IS FURTHER ORDERED** that each party is directed to immediately go to Conciliation Services and complete necessary forms following this hearing. This Court has contacted Conciliation Services and set the Mediation for **May 23, 2007 at 8:00 a.m.** in Conciliation Services.

**WARNING**

YOU WILL HAVE TO PAY A \$200 FEE IF YOU DO NOT ATTEND THE MEDIATION SESSION. IF YOU CANNOT ATTEND, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AND RECEIVE PERMISSION TO RESCHEDULE AT LEAST THREE FULL COURT DAYS BEFORE THE SESSION.

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IF YOU REACH A FULL AGREEMENT ABOUT CUSTODY AND PARENTING TIME AND DO NOT PLAN TO COME TO THE MEDIATION SESSION, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AS SOON AS POSSIBLE OF THE SETTLEMENT TO AVOID PAYING THIS FEE.

**IT IS ORDERED** setting Evidentiary Hearing on July 10, 2007 at 8:30 a.m. (Time allotted: 1 hour) in this Division at the Southeast Judicial District, 222 East Javelina Avenue, Courtroom 304, Mesa, Arizona 85210.

**IT IS ORDERED** any evidence intended to be submitted as exhibits at the time of the Evidentiary Hearing must be brought to this Court's Clerk in Courtroom 304 no later than 12:00 p.m. on Thursday, July 5, 2007 with a coversheet listing the description of the exhibits. All exhibits must be hand-delivered to Courtroom 304. The parties shall coordinate their exhibits so that each party does not present duplicate exhibits of the other party. In addition, at the time of the commencement of the hearing, each party shall provide an extra copy of the exhibits for use by the Court during the hearing. This extra set of exhibits shall be noted to be the "Bench Copy".

**IT IS ORDERED** amending the caption of this case to reflect Petitioner's true name is now Kimberly Jean Martin.

**IT IS ORDERED** directing the Office of the Clerk of the Superior Court to change the name on the caption of this case for Petitioner to **Kimberly Jean Martin**, effective immediately.

**IT IS ORDERED** directing the courtroom clerk to update Petitioner's and Respondent's addresses in ICIS as stated this date on the record in open court.

2:17 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/ssc/sschome.html>.